

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q91918

Seiji MIZOHATA, et al.

Appln. No.: 10/561,155

Group Art Unit: 1794

Confirmation No.: 9130

Examiner: Jill M. GRAY

Filed: December 16, 2005

For: POLYETHER ESTER ELASTIC FIBER AND FABRIC, CLOTHING USING THE  
SAME

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no Statement under 37 C.F.R. § 1.97(e) or fee

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under 37 C.F.R. § 1.17(p) is required. However, since the conditions therefore apply, Applicant submits herewith a Statement Under 37 C.F.R. § 1.97(e).

Applicants enclose herewith a copy of an Office Action communication from the Japanese Patent Office in counterpart Japanese Application No. 2005-507293 citing the listed document.

Further in compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following:

1. An English language abstract of JP 11-279883 submitted herewith constitutes a concise statement of relevance of JP 11-279883.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

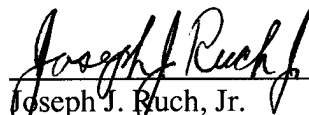
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
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Joseph J. Ruch, Jr.  
Registration No. 26,577

Date: July 30, 2008

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**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

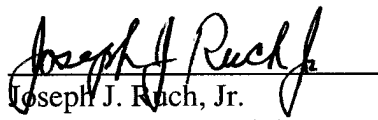
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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